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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,311	11/24/2003	Chien-Jung Sun	10113261	4289
34283	7590	08/29/2005	EXAMINER	
QUINTERO LAW OFFICE 1617 BROADWAY, 3RD FLOOR SANTA MONICA, CA 90404			CHEN, KIN-CHAN	
			ART UNIT	PAPER NUMBER
			1765	
DATE MAILED: 08/29/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/720,311	SUN ET AL.	
	Examiner	Art Unit	
	Kin-Chan Chen	1765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-20 and 22-29 is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☒ Claim(s) 13 and 21 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Objections

1. Claims 13 and 21 are objected to because of the following informalities:

In claim 13 or 21, line 2, it contains a typographic error, "press" should be – pressure--.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tews et al. (US 6,534,376; hereinafter "Tews") in view of Lim et al. (US 6,828,185; hereinafter "Lim") as evidenced by Hsu et al. (US 6,143,645).

In a method for forming a deep trench for a semiconductor memory cell, Tews teaches that a semiconductor substrate may be provided with a trench having a pad stack layer thereon. The lower portion of the trench may be filled with a mask layer

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(such as a photoresist material; claims 3 and 10). Nitridation may be applied to form a sidewall nitride layer on the trench sidewall. The mask layer may be removed and the lower portion of the trench may be etched to form a bottle-shaped trench (col. 4, line 37 through col. 5, line 12; col. 5, lines 36-46; col. 6, lines 5-10). The disclosure of Tews is not limited to any particular nitridation. It is conventional to use plasma nitridation to form a nitride as a passivation /protection layer. Lim is only relied to show the conventional plasma nitridation (col. 8, lines 23-31), also see Hsu et al. (US 6,143,645; col. 4, lines 51-59) as evidence. Because it is conventional method and because it is disclosed by Lim, hence, it would have been obvious to one with ordinary skill in the art to use plasma nitridation as taught by Lim in the process of Tews in order to form a passivation /protection layer.

As to claims 4 and 10, Lim teaches the claimed temperatures for plasma nitridation (col. 8, lines 23-31).

As to dependent claims 7 and 13, the pressure is known to be a result-effective variable and commonly determined by routine experiment. The process of conducting routine experimentations so as to produce an expected result is obvious to one of ordinary skill in the art. In the absence of showing criticality or new, unexpected results, a person having ordinary skill in the art would have found it obvious to modify the prior art by performing routine experiments (by using different pressures) to obtain optimal result with a reasonable expectation of success.

As to dependent claims 8 and 14, Lim teaches using RF plasma (col. 8, lines 23-31).

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As to dependent claims 9 and 15, Lim teaches the claimed RF power for plasma nitridation (col. 8, lines 23-31).

The above-cited claims differ from the prior art by specifying well-known features (such as pad stack comprises oxide layer and nitride layer in claim 2; etching the trench by wet etching in claims 5 and 11; etching solution may be ammonia in claims 6 and 12) to the art of semiconductor device fabrication, the examiner takes official notice. It is the examiner's position that a person having ordinary skill in the art at the time of the claimed invention would have found it obvious to modify the prior art by adding any of same well-known features to same in order to provide their art recognized advantages and produce an expected result with a reasonable expectation of success.

Allowable Subject Matter

4. Claims 16-20 and 22-29 are allowed.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hsu et al. (US 6,143,645; col. 4, lines 51-59) teaches using plasma nitridation to form a passivation layer.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kin-Chan Chen whose telephone number is (571) 272-

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1461. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

August 25, 2005



Kin-Chan Chen
Primary Examiner
Art Unit 1765